

Maine Revised Statutes

**Title 29-A: MOTOR VEHICLES HEADING: PL  
1993, c. 683, Pt. A, §2 (new); Pt. B, §5 (aff)**

**Chapter 21: WEIGHT, DIMENSION AND PROTECTION OF  
WAYS HEADING: PL 1993, c. 683, Pt. A, §2 (new); Pt. B, §5 (aff)**

**§2356. OPERATION OF COMMERCIAL VEHICLE EXCEEDING REGISTERED  
WEIGHT**

**1. Operation prohibited.** A person commits a traffic infraction if that person operates or causes operation of a vehicle in excess of its registered weight on a public way.

[ 2001, c. 267, §2 (AMD); 2001, c. 267, §16 (AFF) .]

**2. Prima facie evidence.** Operation of a vehicle is prima facie evidence that the operation was caused by the vehicle registrant.

[ 2001, c. 267, §2 (AMD); 2001, c. 267, §16 (AFF) .]

**3. Exception.**

[ 2001, c. 267, §16 (AFF); 2001, c. 267, §3 (RP) .]

**4. Penalty.** Notwithstanding Title 17-A, section 4-B, the fine for a violation of subsection 1 is twice the difference in the registration fees for the actual weight and the registered weight of the vehicle. The minimum fine for a violation of this section is \$25.

[ 2001, c. 267, §4 (AMD); 2001, c. 267, §16 (AFF) .]

**5. Reduced penalty.**

[ 2001, c. 267, §16 (AFF); 2001, c. 267, §5 (RP) .]

**6. Private ways exempted.** This section does not apply to operating on private ways.

[ 1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

**7. Notice of failure to appear or noncompliance with orders.** If a person after being ordered to appear to answer a violation fails to appear or after appearing fails to comply with an order issued pursuant to this section, the court shall notify the Secretary of State.

[ 1995, c. 65, Pt. A, §153 (AFF); 1995, c. 65, Pt. C, §8 (NEW); 1995, c. 65, Pt. C, §15 (AFF) .]

**8. Suspension of registrations.** After receiving notice pursuant to subsection 7, the Secretary of State shall suspend the person's commercial registration certificates and plates and the privilege to operate a commercial motor vehicle in this State. The suspension remains in effect until the person appears in court and complies with a court order.

[ 2009, c. 598, §39 (AMD) .]

**9. Subsequent violation.** A person issued a summons for violating this section does not commit a subsequent violation of this section involving the same vehicle and same load until the next business day.

[ 2007, c. 383, §27 (NEW) .]

SECTION HISTORY

1993, c. 683, §A2 (NEW). 1993, c. 683, §B5 (AFF). 1995, c. 65, §§C7,8 (AMD). 1995, c. 65, §§A153,C15 (AFF). 2001, c. 267, §§2-5 (AMD). 2001, c. 267, §16 (AFF). 2007, c. 383, §27 (AMD). 2009, c. 598, §39 (AMD).

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